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Montana State Legislators, Medical Experts, Bioethicists, Constitutional Law Experts, Civil Liberties and Human Rights Advocates, Family Members Petition to Urge Supreme Court to Uphold Right of Montanans to Aid in Dying

HELENA, MT - A broad, diverse group of organizations and individuals have petitioned for permission to urge the Montana Supreme Court to uphold a lower-court ruling that terminally ill Montanans have the right to choose aid in dying. Family members of those who wanted aid in dying and could not access this choice are among those seeking leave to file a brief; they will share with the Court what it means to a dying patient trapped in an unbearable dying process to be denied this compassionate option. Medical associations, civil liberties and human rights organizations, bioethicists, religious leaders, constitutional law experts and Montana State legislators have also requested leave to file briefs to argue that terminally ill Montanans have the right to choose a dignified death, under the State Constitution's guarantees of privacy and dignity. The Montana Supreme Court will hear arguments later this year on whether to uphold the landmark decision issued last December by First Judicial Court Judge Dorothy McCarter.

Permission to file friend-of-the-court briefs was requested by Montana State Sen. Christine Kaufmann and Rep. Dick Barrett and twenty-two other state legislators; the American Medical Women's Association, the American Medical Students Association, and a coalition of Montana clinicians; the American College of Legal Medicine; the American Civil Liberties Union of Montana; the Montana Human Rights Network, the Billings Humanist Association; the Northwest Women's Law Center and many other women's rights groups; terminal patients' surviving family members; Montana religious leaders; and Montana's leading constitutional law experts.

Compassion & Choices Legal Director Kathryn Tucker, co-counsel to the plaintiffs/respondents, commented on the friend-of-the-court motions: "We are pleased that such a diverse group will submit briefs and urge affirmation of the lower court's decision. This case is about the right of mentally competent terminally ill patients to request a prescription for medication from their doctors which they can ingest to bring about a peaceful death. This is a choice the Constitution entrusts to them, not to the government. Montanans trapped in an unbearable dying process deserve this end-of-life

choice. This is a choice that Bob Baxter sought for himself, and his courage in bringing this case forward will help bring comfort and relief to his fellow citizens.”

Compassion & Choices encourages terminally ill patients to contact Compassion & Choices if they would like information about aid in dying, or suggestions on how to open a dialogue with their physician and loved ones. Physicians may also contact C & C for suggestions on how to evaluate and respond to a request. Our counselors and informative materials are available to Montanans by calling 800 247-7421.

Here is a link to the First Judicial Court’s decision:

http://compassionandchoices.org/documents/Opinion_Montana.pdf

For more information please visit www.compassionandchoices.org

[Compassion & Choices](#) is a nonprofit organization working to improve care and expand choice at the end of life. We [support](#), [educate](#) and [advocate](#).

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